

HOUSE BILL No. 1280

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19; IC 20-20; IC 20-23; IC 20-24-9-2; IC 20-25-13-5; IC 20-26; IC 20-28; IC 20-30-3-1; IC 20-31; IC 20-32-5-17; IC 20-33; IC 33-33-53-5; IC 34-13-3-3.

Synopsis: Deregulation of K-12 education. Makes amendments to or repeals certain provisions that: (1) require the department of education (department) to review school construction plans; (2) provide the state board of education (state board) authority to make rules and guidelines for school media centers and libraries; (3) provide the state board authority to make rules governing cheerleading; (4) require certain military family reporting; (5) require certain qualifications for school social workers; (6) require professional development as part of a school improvement plan; (7) pertain to restraint and seclusion policies; (8) pertain to annual performance reports; (9) pertain to metropolitan school districts; (10) require the reporting of, other than ISTEP program results, standardized test results; (11) require certain tuition support reporting; (12) relate to curricular materials; (13) establish the number of members on a case review panel for athletics; (14) require schools to verify certain claims over \$100; (15) pertain to waivers of notices for meetings of the governing body; (16) pertain to school board terms and vacancies; (17) pertain to teacher contracts; (18) pertain to Arbor Day; (19) sets requirements on how performance based awards may be used by schools; (20) require mandatory accreditation of schools; and (21) relate to a school's strategic and continuous school improvement plan.

Effective: July 1, 2015.

Truitt

January 13, 2015, read first time and referred to Committee on Education.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1280

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-19-2-8, AS AMENDED BY P.L.286-2013,
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 8. (a) In addition to any other powers and duties
4 prescribed by law, the state board shall adopt rules under IC 4-22-2
5 concerning, but not limited to, the following matters:
6 (1) The designation and employment of the employees and
7 consultants necessary for the department. The state board shall fix
8 the compensation of employees of the department, subject to the
9 approval of the budget committee and the governor under
10 IC 4-12-2.
11 (2) The establishment and maintenance of standards and
12 guidelines for media centers, libraries, instructional materials
13 centers, or any other area or system of areas in a school where a
14 full range of information sources, associated equipment, and
15 services from professional media staff are accessible to the school



community. With regard to library automation systems, the state board may only adopt rules that meet the standards established by the state library board for library automation systems under IC 4-23-7.1-11(b).

(3) (2) The establishment and maintenance of standards for student personnel and guidance services.

(4) (3) The inspection of all public schools in Indiana to determine the condition of the schools. The state board shall establish standards governing the **voluntary** accreditation of public schools **that elect to be accredited**. Observance of:

(A) IC 20-31-4;

(B) IC 20-28-5-2;

(C) IC 20-28-6-3 through IC 20-28-6-7;

(D) IC 20-28-11.5; and

(E) IC 20-31-3, IC 20-32-4, IC 20-32-5, and IC 20-32-8;

is **may be** a prerequisite to the accreditation of a school. Local public school officials **who elect to have their schools accredited** shall make the reports required of them and otherwise cooperate with the state board regarding required inspections. Nonpublic schools may also request the inspection for classification purposes. Compliance with the building and site guidelines adopted by the state board is not a prerequisite of accreditation.

(5) (4) The distribution of funds and revenues appropriated for the support of schools in the state.

(6) (5) The state board may not establish **an a voluntary** accreditation system for nonpublic schools that is less stringent than the **voluntary** accreditation system for public schools.

(7) (6) A separate system for recognizing nonpublic schools under IC 20-19-2-10. Recognition of nonpublic schools under this subdivision constitutes the system of regulatory standards that apply to nonpublic schools that seek to qualify for the system of recognition.

(8) The establishment and enforcement of standards and guidelines concerning the safety of students participating in cheerleading activities.

(9) (7) Subject to IC 20-28-2, the preparation and licensing of teachers.

(b) Before final adoption of any rule, the state board shall make a finding on the estimated fiscal impact that the rule will have on school corporations.

(c) **Before January 1, 2017, the state board shall adopt rules to**



1 **transform the school accreditation system into a voluntary system**
 2 **available to the governing body of a school corporation or a**
 3 **nonpublic school at the discretion of the governing body.**

4 SECTION 2. IC 20-19-2-11 IS REPEALED [EFFECTIVE JULY 1,
 5 2015]. Sec. 11. (a) As used in this section, "plan" refers to a strategic
 6 and continuous school improvement and achievement plan developed
 7 under IC 20-31-5.

8 (b) A plan must:

9 (1) conform to the requirements of IC 20-31-5; and

10 (2) include a professional development program that conforms to
 11 IC 20-20-31.

12 (c) The governing body may do the following for a school that
 13 participates in a plan:

14 (1) Invoke a waiver of a rule adopted by the state board under
 15 IC 20-31-5-5(b);

16 (2) Develop a plan for the admission of students who do not
 17 reside in the school's attendance area but have legal settlement in
 18 the school corporation.

19 (d) In approving a school corporation's actions under this section;
 20 the state board shall consider whether the governing body has done the
 21 following:

22 (1) Approved a school's plan;

23 (2) Demonstrated the support of the exclusive representative only
 24 for the professional development program component of the plan;

25 (e) The state board may waive any statute or rule relating to
 26 curriculum in accordance with IC 20-31-5-5;

27 (f) As part of the plan, the governing body may develop and
 28 implement a policy to do the following:

29 (1) Allow the transfer of a student who resides in the school's
 30 attendance area but whose parent requests that the student attend
 31 another school in the school corporation of legal settlement;

32 (2) Inform parents of their rights under this section.

33 (g) The state board shall adopt rules under IC 4-22-2 to implement
 34 this section.

35 SECTION 3. IC 20-19-2-12, AS AMENDED BY P.L.218-2014,
 36 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2015]: Sec. 12. (a) The state board shall, in the manner
 38 provided by IC 4-22-2, adopt rules setting forth nonbinding guidelines
 39 for the selection of school sites and the construction, alteration, and
 40 repair of school buildings, athletic facilities, and other categories of
 41 facilities related to the operation and administration of school
 42 corporations. The nonbinding guidelines must include:



(1) preferred location and building practices for school corporations, including standards for enhancing health, student safety, accessibility, energy efficiency, operating efficiency, and instructional efficacy;

(2) guidelines concerning minimum acreage, cost per square foot or cost per ADM (as defined in IC 20-18-2-2), technology infrastructure, building materials, per student square footage, and other general space requirements, including space for academics, administration and staff support, arts education and auditoriums, libraries, cafeterias, athletics and physical education, transportation facilities, and maintenance and repair facilities; and

(3) additional guidelines that the state board considers necessary for efficient and cost effective construction of school facilities.

The state building commissioner, the office of management and budget, and the department of local government finance shall, upon request of the board, provide technical assistance as necessary for the development of the guidelines.

(b) The state board shall annually compile, in a document capable of easy revision, the:

(1) guidelines described in subsection (a); and

(2) rules of the:

(A) fire prevention and building safety commission; and

(B) state department of health;

that govern site selection and the construction, alteration, and repair of school buildings.

(c) A school corporation shall consider the guidelines adopted under subsection (a) when developing plans and specifications for a facility described in subsection (a). Before submitting completed written plans and specifications for the selection of a school building site or the construction or alteration of a school building to the division of fire and building safety for issuance of a design release under IC 22-15-3, a school corporation shall do the following:

(1) Submit the proposed plans and specifications to the department. Within thirty (30) days after the department receives the plans and specifications, the department shall:

(A) review the plans and specifications to determine whether they comply with the guidelines adopted under subsection (a); and

(B) provide written recommendations concerning the plans and specifications to the school corporation, which must include findings as to any material differences between the plans and specifications and the guidelines adopted under



subsection (a):

(2) After the earlier of:

(A) receipt of the recommendations provided under subdivision (1)(B); or

(B) the date that is thirty (30) days after the date the department received the plans and specifications under subdivision (1)(A);

issue a public document that describes the recommendations, if any, and any material differences between the plans and specifications prepared by the school corporation and the guidelines adopted under subsection (a); as determined under the guidelines adopted by the state board.

(3) After publishing a notice of the public hearing under IC 5-3-1, conduct a public hearing to receive public comment concerning the school corporation's plans and specifications.

After the public hearing and without conducting another public hearing under this subsection, the governing body may revise the plans and specifications or submit the plans and specifications to the division of fire and building safety without making changes. The school corporation shall revise the public document described in subdivision (2) to identify any changes in the plans and specifications after the public document's initial preparation.

SECTION 4. IC 20-19-3-8, AS AMENDED BY P.L.146-2008, SECTION 453, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The department may not approve or disapprove plans and specifications for the construction, alteration, or repair of school buildings, except as necessary under the following:

(1) The terms of a federal grant or a federal law.

(2) IC 20-35-4-2 concerning the authorization of a special school for children with disabilities.

(b) Notwithstanding subsection (a), the department shall ~~do the~~ following:

~~(1) Receive and review plans and specifications as required by IC 20-19-2-12.~~

(2) establish a central clearinghouse for access by school corporations that may want to use a prototype design in the construction of school facilities. The department shall compile necessary publications and may establish a computer data base to distribute information on prototype designs to school corporations. Architects and engineers registered to practice in Indiana may submit plans and specifications for a prototype



design to the clearinghouse. The plans and specifications may be accessed by any person. However, the following provisions apply to a prototype design submitted to the clearinghouse:

~~(A)~~ (1) The original architect of record or engineer of record retains ownership of and liability for a prototype design.

~~(B)~~ (2) A school corporation or other person may not use a prototype design without the site-specific, written permission of the original architect of record or engineer of record.

~~(C)~~ (3) An architect's or engineer's liability under ~~clause (A)~~ **subdivision (1)** is subject to the requirements of ~~clause (B)~~ **subdivision (2)**.

The state board may adopt rules under IC 4-22-2 to implement this ~~subdivision~~ **subsection**.

SECTION 5. IC 20-19-3-9.4, AS AMENDED BY P.L.43-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9.4. ~~(a)~~ Beginning January 1, 2010, the department may obtain and maintain student test number information in a manner and form that permits any person who is authorized to review the information to:

(1) access the information at any time; and

(2) accurately determine:

(A) where each student is enrolled and attending classes; and

(B) the number of students enrolled in a school corporation or charter school and residing in the area served by a school corporation;

as of any date after December 31, 2009, occurring before two (2) regular instructional days before the date of the inquiry.

Each school corporation and charter school shall provide the information to the department in the form ~~and on a schedule~~ that permits the department to comply with this section, **which may not be more than one (1) time for a particular school year**. The department shall provide technical assistance to school corporations and charter schools to assist school corporations and charter schools in complying with this section.

~~(b)~~ Beginning with the 2015-2016 school year, each school corporation and charter school shall annually:

~~(1)~~ determine whether a student's parent is a member of:

(A) the armed forces of the United States who is on active duty;

(B) the reserve component of a branch of the armed forces of the United States; or

~~(C)~~ the national guard; and



(2) provide a list to the department of the students who have been identified under subdivision (1).

The department shall assign each student identified under subdivision (1) a unique identifier, which may be a modification of the student's test number assigned under subsection (a); by which data concerning military connected students may be disaggregated.

SECTION 6. IC 20-20-8-3, AS AMENDED BY P.L.43-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) ~~Not earlier than March 15 or later than March 31 of each year;~~ The governing body of a school corporation shall ~~may~~ publish an annual performance report of the school corporation, in compliance with the procedures identified in section 7 of this chapter. **If a report is published**, the report must be published ~~one (1) time annually~~ under IC 5-3-1.

(b) The department shall make each **reporting** school corporation's report available on the department's Internet web site. The ~~annual performance~~ report published on the Internet for a school corporation, including a charter school, must include any additional information submitted by the school corporation under section 6(3)(A) of this chapter. The governing body of a school corporation may make the school corporation's report available on the school corporation's Internet web site.

(c) The governing body of a school corporation shall provide a copy of the report to a person who requests a copy. The governing body may not charge a fee for providing the copy.

SECTION 7. IC 20-20-8-8, AS AMENDED BY P.L.246-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. ~~The~~ **A** report must include the following information:

- (1) Student enrollment.
- (2) Graduation rate (as defined in IC 20-26-13-6).
- (3) Attendance rate.
- (4) The following test scores, including the number and percentage of students meeting academic standards:
 - (A) ISTEP program test scores.
 - (B) Scores for assessments under IC 20-32-5-21, if appropriate.
 - (C) For a freeway school, scores on a locally adopted assessment program, if appropriate.
- (5) Average class size.
- (6) The number and percentage of students in the following groups or programs:



- 1 (A) Alternative education, if offered.
- 2 (B) Career and technical education.
- 3 (C) Special education.
- 4 (D) High ability.
- 5 (E) Remediation.
- 6 (F) Limited English language proficiency.
- 7 (G) Students receiving free or reduced price lunch under the
- 8 national school lunch program.
- 9 (H) School flex program, if offered.
- 10 (7) Advanced placement, including the following:
- 11 (A) For advanced placement tests, the percentage of students:
- 12 (i) scoring three (3), four (4), and five (5); and
- 13 (ii) taking the test.
- 14 (B) For the Scholastic Aptitude Test:
- 15 (i) test scores for all students taking the test;
- 16 (ii) test scores for students completing the academic honors
- 17 diploma program; and
- 18 (iii) the percentage of students taking the test.
- 19 (8) Course completion, including the number and percentage of
- 20 students completing the following programs:
- 21 (A) Academic honors diploma.
- 22 (B) Core 40 curriculum.
- 23 (C) Career and technical programs.
- 24 ~~(9) The percentage of grade 8 students enrolled in algebra I.~~
- 25 ~~(10)~~ (9) The percentage of graduates who pursue higher
- 26 education.
- 27 ~~(11) School safety, including:~~
- 28 ~~(A) the number of students receiving suspension or expulsion~~
- 29 ~~for the possession of alcohol, drugs, or weapons;~~
- 30 ~~(B) the number of incidents reported under IC 20-33-9; and~~
- 31 ~~(C) the number of bullying incidents reported under~~
- 32 ~~IC 20-34-6 by category.~~
- 33 ~~(12)~~ (10) Financial information and various school cost factors,
- 34 including the following:
- 35 (A) Expenditures per pupil.
- 36 (B) Average teacher salary.
- 37 (C) Remediation funding.
- 38 ~~(13) Technology accessibility and use of technology in~~
- 39 ~~instruction.~~
- 40 ~~(14)~~ (11) Interdistrict and intradistrict student mobility rates, if
- 41 that information is available.
- 42 ~~(15) The number and percentage of each of the following within~~



the school corporation:

(A) Teachers who are certificated employees (as defined in IC 20-29-2-4).

(B) Teachers who teach the subject area for which the teacher is certified and holds a license.

(C) Teachers with national board certification.

(16) (12) The percentage of grade 3 students reading at grade 3 level.

(17) (13) The number of students expelled, including the number participating in other recognized education programs during their expulsion.

(18) (14) Chronic absenteeism, which includes the number of students who have been absent from school for ten percent (10%) or more of a school year for any reason.

(19) (15) Habitual truancy, which includes the number of students who have been absent ten (10) days or more from school within a school year without being excused or without being absent under a parental request that has been filed with the school.

(20) (16) The number of students who have dropped out of school, including the reasons for dropping out.

(21) (17) The number of student work permits revoked.

(22) The number of student driver's licenses revoked.

(23) (18) The number of students who have not advanced to grade 10 due to a lack of completed credits.

(24) (19) The number of students suspended for any reason.

(25) (20) The number of students receiving an international baccalaureate diploma.

(26) Other indicators of performance as recommended by the education roundtable under IC 20-19-4.

SECTION 8. IC 20-20-19 IS REPEALED [EFFECTIVE JULY 1, 2015]. (School Social Workers).

SECTION 9. IC 20-20-31 IS REPEALED [EFFECTIVE JULY 1, 2015]. (Professional Development Program).

SECTION 10. IC 20-20-40 IS REPEALED [EFFECTIVE JULY 1, 2015]. (Restraint and Seclusion Commission).

SECTION 11. IC 20-23-4-42, AS AMENDED BY P.L.146-2008, SECTION 459, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 42. (a) The procedures set forth in IC 20-19-2-12 concerning the review of, and public hearings concerning, plans and specifications for the construction of, addition to, or remodeling of school facilities apply equally to facilities to be used or leased by both community school corporations and school



corporations that are not community school corporations:

(b) An action to enjoin school construction or the performance of any of the terms and conditions of a lease or the execution, sale, or delivery of bonds, on the ground that any approval should not have been granted, may not be instituted at any time later than fifteen (15) days after approval has been granted.

SECTION 12. IC 20-23-7-4 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 4: (a) At the first meeting of the board of commissioners of the county after the creation of the metropolitan school district as provided in this chapter, the board of commissioners shall divide the district into three (3) governing body districts approximately equal in population. During the first year after a year in which a federal decennial census is conducted, the board of commissioners shall:

(1) readjust the boundaries of the districts to equalize the districts by population; or

(2) recertify that the boundaries of the districts as drawn comply with this subsection.

(b) Instead of the division provided under subsection (a), any resolution or petition provided in section 2(a) or 2(b) of this chapter may:

(1) provide that the metropolitan school district to be created shall be divided into two (2) or more governing body districts;

(2) describe the governing body member districts;

(3) provide that one (1) or more members of the governing body must reside within each of the governing body member districts;

(4) set out the number of members to serve from each designated district;

(5) provide that the governing body member districts need not be equal in size or population; and that one (1) board member district may include all the area in the metropolitan school district;

(6) specify that the number of governing body members to be resident in each district need not be an equal number; and

(7) eliminate all requirements that there be governing body member districts.

(c) If the resolution or petition:

(1) does not provide for governing body member districts and designate the number of governing body members to be resident in each district; or

(2) provides for the elimination of governing body member districts;

subsection (a) controls. If either subsection (a) or (b) applies, candidates shall be voted upon by all the registered voters of the



1 metropolitan school district voting at any governing body member
2 election:

3 (d) The limitations set forth in this section are part of the plan, but
4 do not have to be specifically set forth in the plan. The plan must be
5 construed, if possible, to comply with this chapter. If a provision of the
6 plan or an application of the plan violates this chapter, the invalidity
7 does not affect the other provisions or applications of the plan that can
8 be given effect without the invalid provision or application. The
9 provisions of the plan are severable.

10 SECTION 13. IC 20-23-7-4.5, AS ADDED BY P.L.271-2013,
11 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: Sec. 4.5. (a) Not later than December 31, 2013, the
13 board of commissioners shall ~~do the following~~:

14 ~~(1) send a copy of the school corporation's plan to the circuit court~~
15 ~~clerk of each county in which the school corporation is located.~~

16 ~~(2) If any members of the governing body are elected from~~
17 ~~election districts voted upon by only the registered voters residing~~
18 ~~within the election district, certify that the election districts~~
19 ~~comply with section 4 of this chapter.~~

20 (b) This subsection applies during the first year after a year in which
21 a federal decennial census is conducted. The board of commissioners
22 shall amend the plan ~~under section 4 of this chapter~~ if an amendment
23 is necessary to reestablish the districts. ~~in compliance with section 4 of~~
24 ~~this chapter~~. If the board of commissioners determines that a plan
25 amendment ~~under section 4 of this chapter~~ is not required, the board of
26 commissioners shall recertify that the districts as established. ~~comply~~
27 ~~with section 4 of this chapter.~~

28 (c) Each time the school corporation's plan is amended, the board of
29 commissioners shall file the ~~following amendment~~ with the circuit
30 court clerk of each county in which the school corporation is located.

31 ~~(1) A copy of the amendment.~~

32 ~~(2) Either of the following:~~

33 ~~(A) A certification that the plan amendment does not require~~
34 ~~reestablishment of the school corporation's election districts to~~
35 ~~comply with section 4 of this chapter.~~

36 ~~(B) If the plan amendment requires reestablishment of the~~
37 ~~school corporation's election districts to comply with section~~
38 ~~4 of this chapter, a map of the new district boundaries.~~

39 (d) A plan amendment or recertification under this section must be
40 filed not later than thirty (30) days after the amendment or
41 recertification occurs.

42 (e) If a conflict exists between:



(1) a map showing the boundaries of a district; and

(2) a description of the boundaries of that district set forth in the plan or plan amendment;

the district boundaries are the description of the boundaries set forth in the plan or plan amendment, not the boundaries shown on the map, to the extent there is a conflict between the description and the map.

SECTION 14. IC 20-23-7-5, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) The rights, powers, and duties of the metropolitan school district shall be vested in the governing body that must be composed of:

(1) three (3);

(2) five (5); or

(3) seven (7) members;

who have resided in the district for at least two (2) years before taking office. The resolution or petition provided by section 2(a) or 2(b) of this chapter may designate the number of members of the governing body. If a designation is not made concerning the number of members of a governing body, the governing body is composed of five (5) members.

(b) If section 4(a) of this chapter applies to a metropolitan school district, the following rules apply:

(1) If the governing body consists of three (3) members, one (1) member shall reside in each residence district.

(2) If the governing body consists of five (5) members, not more than two (2) shall reside in any one (1) residence district.

(3) If the governing body consists of seven (7) members, at least two (2) shall reside in any one (1) residence district.

(c) (b) If a governing body member moves the member's residence within the metropolitan school district from one (1) governing body member district to another or when governing body member district boundaries are moved so that the member's place of residence changes from one (1) governing body member district to another, the member does not on this account become disqualified as a governing body member but may continue to hold office as a member of the governing body.

SECTION 15. IC 20-23-7-6 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 6: (a) The first metropolitan board of education shall be composed of the:

(1) trustees; and

(2) members of school boards;

of the school corporations forming the metropolitan board of education.



(b) The members of the metropolitan board of education shall serve ex officio as members subject to the laws concerning length of terms; powers of election; or appointment and filling vacancies applicable to their respective offices.

(c) If a metropolitan school district is comprised of only two (2) board members; the two (2) members shall appoint a third board member not more than ten (10) days after the creation of the metropolitan school district. If the two (2) members are unable to agree on or do not make the appointment of a third board member within the ten (10) day period after the creation of the metropolitan school district; the third member shall be appointed not more than twenty (20) days after the creation of the metropolitan school district by the judge of the circuit court of the county in which the metropolitan school district is located. If the metropolitan school district is located in two (2) or more counties; the judge of the circuit court of the county containing that part of the metropolitan school district having more students than the part or parts located in another county or counties shall appoint the third member. The members of the metropolitan board of education serve until their successors are elected or appointed and qualified.

(d) The first meeting of the first metropolitan board of education shall be held not more than one (1) month after the creation of the metropolitan school district. The first meeting shall be called by the superintendent of schools or township trustee of a school township; of the school corporation in the district having the largest number of students. At the first meeting; the board shall organize; and each year during the first ten (10) days after the board members that are elected or appointed to a new term take office; the board shall reorganize; by electing a president; a vice president; a secretary; and a treasurer.

(e) The secretary of the board shall keep an accurate record of the minutes of the metropolitan board of education; and the minutes shall be kept in the superintendent's office. When a metropolitan school district is formed; the metropolitan superintendent shall act as administrator of the board and shall carry out the acts and duties as designated by the board. A quorum consists of a majority of the members of the board. A quorum is required for the transaction of business. The vote of a majority of those present is required for a:

- (1) motion;
- (2) ordinance; or
- (3) resolution;

to pass.

(f) The board shall conduct its affairs in the manner described in this section. Except in unusual cases; the board shall hold its meetings at



the office of the metropolitan superintendent or at a place mutually designated by the board and the superintendent. Board records are to be maintained and board business is to be conducted from the office of the metropolitan superintendent or a place designated by the board and the superintendent.

(g) The metropolitan board of education shall have the power to pay to a member of the board:

(1) a reasonable per diem for service on the board not to exceed one hundred twenty-five dollars (\$125) per year; and

(2) for travel to and from a member's home to the place of the meeting within the district, a sum for mileage equal to the amount per mile paid to state officers and employees. The rate per mile shall change when the state government changes its rate per mile.

SECTION 16. IC 20-23-7-10 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 10: (a) The metropolitan board of education shall appoint a metropolitan superintendent of schools who shall serve under contract in the same manner and under the same laws that govern the employment and service of other licensed school personnel. However, the metropolitan superintendent of schools is not required to hold a license under IC 20-28-5. The metropolitan superintendent of schools' salary and expense allowance is fixed by the metropolitan board of education. The metropolitan superintendent of schools' original contract:

(1) must be for a period of one (1) to five (5) years; and

(2) may be changed or extended by mutual agreement.

(b) Appointments to fill a vacancy for a metropolitan superintendent of schools shall be made under this chapter.

(c) The board shall:

(1) act upon the recommendations of the metropolitan superintendent of schools; and

(2) make other decisions and perform other duties as required by law.

(d) A:

(1) county superintendent;

(2) city school superintendent; or

(3) town superintendent;

in a metropolitan school district shall continue in the superintendents' respective employment at the same salary; paid in the same manner and according to the same terms as agreed to before the formation of the metropolitan school district.

(e) A metropolitan board of education shall:

(1) assign administrative duties; and



(2) designate:

(A) one (1) of the superintendents in the metropolitan school district; or

(B) a competent and qualified person as determined by the board;

to perform the duties of the metropolitan superintendent of the metropolitan school district as set forth in this chapter.

(f) A metropolitan board of education shall appoint a superintendent of the metropolitan school district and other administrative supervisory officers as provided in this chapter if:

(1) the previous superintendent's term expired;

(2) the previous superintendent's contract of employment ended; or

(3) the previous superintendent:

(A) died; or

(B) resigned.

(g) The appointment and salary of the metropolitan superintendent of schools appointed under subsection (f) shall be made, set, and paid as provided in this chapter.

SECTION 17. IC 20-24-9-2, AS AMENDED BY P.L.33-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. An annual report under this chapter must contain the following information:

(1) Results of ~~all standardized testing, including~~ ISTEP program testing ~~and~~ end of course assessments. ~~and any other assessments used for each authorized school.~~

(2) Student growth and improvement data for each authorized school.

(3) Attendance rates for each authorized school.

(4) Graduation rates (if appropriate), including attainment of Core 40 and academic honors diplomas for each authorized school.

(5) Student enrollment data for each authorized school, including the following:

(A) The number of students enrolled.

(B) The number of students expelled.

(6) Status of the authorizer's charter schools, identifying each of the authorizer's charter schools that are in the following categories:

(A) Approved but not yet open.

(B) Open and operating.

(C) Closed or having a charter that was not renewed, including:



- 1 (i) the year closed or not renewed; and
- 2 (ii) the reason for the closure or nonrenewal.
- 3 (7) Names of the authorizer's board members or ultimate decision
- 4 making body.
- 5 (8) Evidence that the authorizer is in compliance with
- 6 IC 20-24-2.2-1.5.
- 7 (9) A report summarizing the total amount of administrative fees
- 8 collected by the authorizer and how the fees were expended, if
- 9 applicable.
- 10 (10) Total amount of other fees or funds not included in the report
- 11 under subdivision (9) received by the authorizer from a charter
- 12 school and how the fees or funds were expended.
- 13 (11) The most recent audits for each authorized school submitted
- 14 to the authorizer under IC 5-11-1-9.

15 SECTION 18. IC 20-25-13-5, AS AMENDED BY P.L.13-2013,
 16 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2015]: Sec. 5. Development and implementation of a staff
 18 performance evaluation plan for each school is a condition for
 19 accreditation for the school under ~~IC 20-19-2-8(a)(4)~~. **IC 20-19-2-8.**

20 SECTION 19. IC 20-26-4-1, AS AMENDED BY P.L.35-2012,
 21 SECTION 102, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) As used in this section,
 23 "electronic funds transfer" means a transfer of funds, other than a
 24 transaction originated by check, draft, or similar paper instrument, that
 25 is initiated through an electronic terminal, telephone, or computer or
 26 magnetic tape to order, instruct, or authorize a financial institution to
 27 debit or credit an account.

28 (b) The governing body of each school corporation shall organize by
 29 electing:

- 30 (1) a president;
- 31 (2) a vice president; and
- 32 (3) a secretary;

33 each of whom is a different member, not more than fifteen (15) days
 34 after the commencement date of the members' terms of office. ~~as~~
 35 ~~provided in section 4 of this chapter.~~

36 (c) A governing body shall, at the time that officers are elected
 37 under subsection (b), appoint a treasurer of the governing body and of
 38 the school corporation who is a person, other than the superintendent
 39 of schools, who is not a member of the governing body. The treasurer
 40 may, with the approval of the governing body, appoint a deputy who
 41 must be a person, other than the superintendent of schools, who is not
 42 a member of the governing body and who has the same powers and



1 duties as the treasurer, or lesser duties as provided by the governing
2 body by rule.

3 (d) The treasurer is the official custodian of all funds of the school
4 corporation and is responsible for the proper safeguarding and
5 accounting for the funds. The treasurer shall:

- 6 (1) issue a receipt for money received by the treasurer;
7 (2) deposit money described in subdivision (1) in accordance with
8 the laws governing the deposit of public funds; and
9 (3) issue all warrants in payment of expenses lawfully incurred on
10 behalf of the school corporation. However, except as otherwise
11 provided by law, warrants described in this subdivision must be
12 issued only after proper allowance or approval by the governing
13 body. The governing body may not require an allowance or
14 approval for amounts lawfully due in payment of indebtedness or
15 payments due the state, the United States government, or agencies
16 and instrumentalities of the state or the United States government.

17 A verification, other than a properly itemized invoice, may not be
18 required for any claim. ~~of one hundred dollars (\$100) or less.~~ A claim
19 ~~that exceeds one hundred dollars (\$100)~~ is sufficient as to form if the
20 bill or statement for the claim has printed or stamped on the face of the
21 bill or statement a verification of the bill or statement in language
22 approved by the state board of accounts.

23 (e) Notwithstanding subsection (d), a treasurer may transact school
24 corporation financial business with a financial institution or a public
25 retirement fund through the use of electronic funds transfer. The
26 treasurer must provide adequate documentation to the governing body
27 of transfers made under this subsection. This subsection applies only
28 to agreements for joint investment of money under IC 5-13-9 and to
29 payments to the Indiana public retirement system for:

- 30 (1) the Indiana state teachers' retirement fund; or
31 (2) the public employees' retirement fund;

32 from participating employers.

33 (f) A treasurer is not personally liable for an act or omission
34 occurring in connection with the performance of the duties set forth in
35 this section, unless the act or omission constitutes gross negligence or
36 an intentional disregard of the treasurer's duties.

37 (g) A governing body may establish the position of executive
38 secretary to the governing body. The executive secretary:

- 39 (1) must be an employee of the school corporation;
40 (2) may not be a member of the governing body; and
41 (3) must be appointed by the governing body upon the
42 recommendation of the superintendent of the school corporation.



1 The governing body shall determine the duties of the executive
 2 secretary, which may include all or part of the duties of the secretary of
 3 the board.

4 SECTION 20. IC 20-26-4-3, AS ADDED BY P.L.1-2005,
 5 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 3. (a) Regular meetings must be held by each
 7 governing body at a time and place established by resolution of the
 8 board or may be incorporated in the rules provided in IC 20-26-5-4. A
 9 notice need not be given a member for holding or taking any action at
 10 a regular meeting.

11 (b) If a meeting is held according to a procedure set forth by statute
 12 or rule and if publication of notice of the meeting is required, notice of
 13 the meeting is not required and need not be given a member for holding
 14 or taking any action at the meeting contemplated by the notice. The
 15 meeting must be held at the time and place specified in the published
 16 notice.

17 (c) Special meetings of a governing body must be held on call by the
 18 governing body's president or by the superintendent of the school
 19 corporation. The call must be evidenced by a written notice specifying
 20 the date, time, and place of the meeting, delivered to each member
 21 personally or sent by mail or telegram so that each member has at least
 22 seventy-two (72) hours notice of the special meeting. Special meetings
 23 must be held at the regular meeting place of the board.

24 (d) All meetings of a governing body must be open to the public to
 25 the extent required by IC 5-14-1.5. The governing body shall comply
 26 with IC 5-14-1.5.

27 (e) If notice of a meeting is required and each member of a
 28 governing body has waived notice of the meeting, as provided in this
 29 subsection, notice of the meeting is not necessary. Waiver of notice of
 30 a meeting by a member consists of the following:

31 (1) The member's presence at the meeting.

32 (2) The member's execution of a written notice waiving the date,
 33 time, and place of the meeting, executed either before or after the
 34 meeting. ~~However, if notice is executed after the meeting, the~~
 35 ~~waiver must also state in general terms the purpose of the~~
 36 ~~meeting.~~ If a waiver specifies that the waiver was executed before
 37 the meeting, third persons are entitled to rely on the statement.

38 (f) At a meeting of the governing body, a majority of the members
 39 constitutes a quorum. Action may not be taken unless a quorum is
 40 present. Except where a larger vote is required by statute or rule with
 41 respect to any matter, a majority of the members present may adopt a
 42 resolution or take any action.



(g) All meetings of the governing body for the conduct of business must be held within the school corporation, except as follows:

(1) Meetings may be held at the administrative offices of the school corporation if the offices are outside the geographic limits of the school corporation but are within a county where all or a part of the school corporation is located.

(2) Meetings may be held at a place where the statute or rule according to which a statutory meeting is held permits meeting outside the school corporation, as may occur when the meeting is held jointly with another governing body.

SECTION 21. IC 20-26-4-4, AS AMENDED BY P.L.219-2013, SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) This section does not apply to a school city of the first class or to a school corporation succeeding to all or the major part in area of a school city of the first class:

(b) The commencement and termination of terms of members of a governing body are as follows:

(1) Except as provided in subdivisions (2) and (3), the governing body of each school corporation shall determine whether the term of office for the governing body's members extends from January 1 to December 31 or from July 1 to June 30. A governing body that makes a change in the commencement date of the governing body's members' terms shall report the change to the state board before August 1 preceding the year in which the change takes place. An ex officio member of a governing body shall take office at the time the ex officio member takes the oath of the office by virtue of which the ex officio member is entitled to become an ex officio member.

(2) Except as provided in subdivision (3), in a county having a population of more than four hundred thousand (400,000), the terms of office for the members of a governing body who are appointed commence on July 1 of the year in which the members are to take office under the plan, resolution, or law under which the school corporation is established, and terminate on the June 30 of the final year of the term for which the members are to serve under the plan, resolution, or law.

(3) An elected member of a governing body takes office on the date set in the school corporation's organization plan. The date set in the organization plan for an elected member of the governing body to take office may not be more than fourteen (14) months after the date of the member's election. If the school corporation's organization plan does not set a date for an elected member of the



governing body to take office; the member takes office January 1 immediately after the member's election.

(e) If a vacancy in the membership of a governing body occurs for any reason (including the failure of a sufficient number of petitions for candidates for governing body membership being filed for an election and whether the vacancy was of an elected or appointed member), the remaining members of the governing body shall by majority vote fill the vacancy by appointing a person from within the boundaries of the school corporation, with the residence and other qualifications provided for a regularly elected or appointed board member filling the membership, to serve for the term or the balance of the term. However, this subsection does not apply to a vacancy:

(1) of a member who serves on a governing body in an ex officio capacity; or

(2) a vacancy in an appointed board membership if a plan, resolution, or law under which the school corporation operates specifically provides for filling vacancies by the appointing authority.

SECTION 22. IC 20-26-4-4.5, AS ADDED BY P.L.119-2005, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4.5. (a) This section applies to a school corporation subject to section 4 of this chapter.

(b) (a) The definitions in IC 3-5-2 apply to this section.

(c) (b) If a vacancy in a school board office exists because of the death of a school board member, the remaining members of the governing body shall meet and select an individual to fill the vacancy after the secretary of the governing body receives notice of the death under IC 5-8-6 and in accordance with section 4 of this chapter.

SECTION 23. IC 20-26-11-17 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 17: (a) Each year before the date specified in the rules adopted by the state board, a school corporation shall report the information specified in subsection (b) for each student:

(1) for whom tuition support is paid by another school corporation;

(2) for whom tuition support is paid by the state; and

(3) who is enrolled in the school corporation but has the equivalent of a legal settlement in another state or country;

to the department.

(b) Each school corporation shall provide the following information for each school year for each category of student described in subsection (a):

(1) The amount of tuition support and other support received for



the students described in subsection (a):

(2) The operating expenses, as determined under section 13 of this chapter, incurred for the students described in subsection (a):

(3) Special equipment expenditures that are directly related to educating students described in subsection (a):

(4) The number of transfer students described in subsection (a):

(5) Any other information required under the rules adopted by the state board after consultation with the office of the secretary of family and social services:

(c) The information required under this section shall be reported in the format and on the forms specified by the state board:

(d) Not later than November 30 of each year the department shall compile the information required from school corporations under this section and submit the compiled information in the form specified by the office of the secretary of family and social services to the office of the secretary of family and social services:

(e) Not later than December 31 of each year, the office of the secretary of family and social services shall submit a report to the members of the budget committee and the executive director of the legislative services agency that compiles and analyzes the information required from school corporations under this section. The report must identify the types of state and local funding changes that are needed to provide adequate state and local money to educate transfer students. A report submitted under this subsection to the executive director of the legislative services agency must be in an electronic format under IC 5-14-6.

SECTION 24. IC 20-26-12-1 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 1: (a) Except as provided in subsections (b) and (c) and notwithstanding any other law, each governing body shall purchase from a publisher, either individually or through a purchasing cooperative of school corporations, the curricular materials selected by the proper local officials; and shall rent the curricular materials to each student enrolled in a public school that is:

(1) in compliance with the minimum certification standards of the state board; and

(2) located within the attendance unit served by the governing body:

(b) This section does not prohibit the purchase of curricular materials at the option of a student or the providing of free curricular materials by the governing body under sections 6 through 21 of this chapter.

(c) This section does not prohibit a governing body from suspending



the operation of this section under a contract entered into under
~~IC 20-26-15.~~

SECTION 25. IC 20-26-12-3, AS AMENDED BY P.L.286-2013,
 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 JULY 1, 2015]: Sec. 3. (a) Upon a written determination by the
 governing body of a school corporation that curricular materials are no
 longer scheduled for use in the school corporation, the governing body
 may sell, exchange, transfer, or otherwise convey the curricular
 materials. However, before a governing body may mutilate or otherwise
 destroy curricular materials, the governing body must first comply with
 the following provisions:

(1) Subsection (b).

(2) Subsection (c).

~~(3) Section 4 of this chapter.~~

~~(4) Section 5 of this chapter.~~

(b) Before a governing body may mutilate or otherwise destroy
 curricular materials, the governing body shall provide at no cost and
 subject to availability one (1) copy of any curricular material that is no
 longer scheduled for use in the school corporation to:

(1) the parent of each student who is enrolled in the school
 corporation and who wishes to receive a copy of the curricular
 material; and

(2) if any curricular materials remain after distribution under
 subdivision (1), to any resident of the school corporation who
 wishes to receive a copy of the curricular material.

(c) If a governing body does not sell, exchange, transfer, or
 otherwise convey unused curricular materials under subsection (a) or
 (b), each public elementary and secondary school in the governing
 body's school corporation shall provide storage for at least three (3)
 months for the curricular materials in the school corporation. A school
 corporation may sell or otherwise convey the curricular materials to
 another school corporation at any time during the period of storage.

SECTION 26. IC 20-26-12-4 IS REPEALED [EFFECTIVE JULY
 1, 2015]. Sec. 4: ~~(a) A school corporation shall compile a list of
 curricular materials in storage under section 3 of this chapter. The list
 must include the names of the publishers and the number of volumes
 being stored. The list must be mailed to the department. The
 department shall maintain a master list of all curricular materials being
 stored by school corporations.~~

~~(b) Upon request, the state superintendent shall mail to a nonprofit
 corporation or institution located in Indiana a list of curricular
 materials available for access. A nonprofit corporation or institution~~



may acquire the curricular materials from the appropriate school corporation by paying only the cost of shipping and mailing.

SECTION 27. IC 20-26-12-5 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 5: Curricular materials stored for at least three (3) months under section 3 of this chapter may not be mutilated or destroyed and must be maintained and stored according to regulations prescribed by local and state health authorities. Curricular materials that have not been requested after at least three (3) months may be mutilated, destroyed, or otherwise disposed of by the school corporation.

SECTION 28. IC 20-26-12-6 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 6: (a) Sections 7 through 21 of this chapter apply to school libraries that contain free curricular materials. The curricular materials must be selected by the proper local officials.

(b) As used in sections 7 through 21 of this chapter, "resident student" means a student enrolled in any of the grades in any school located in a school corporation; whether the student resides there or is transferred there for school purposes.

SECTION 29. IC 20-26-12-7 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 7: (a) If a petition requesting the establishment of an elementary school library is filed with a governing body, the governing body shall provide a library containing curricular materials in sufficient numbers to meet the needs of every resident student in each of the eight (8) grades of each elementary school. The petition must be signed by at least fifty-one percent (51%) of the registered voters of the governing body's school corporation.

(b) This subsection applies to a governing body that has established an elementary school library under subsection (a). If a petition requesting establishment of a high school library is filed with the governing body, the governing body shall provide a library containing curricular materials in sufficient numbers to meet the needs of every resident student in each of the four (4) grades of each high school. The petition must be signed by at least twenty percent (20%) of the voters of the school corporation as determined by the total vote cast at the last general election for the trustee of the township, clerk of the town, or mayor of the city.

SECTION 30. IC 20-26-12-8 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 8: A petition for an elementary or a high school library under section 7 of this chapter must be in substantially the following form:

To the governing body of the school corporation of _____
We, the undersigned voters of the school corporation of _____



respectfully petition the governing body of the school corporation of _____ to establish an elementary school (or high school, as appropriate) library and to lend its school curricular materials free of charge to the resident students of the school corporation of _____, under IC 20-26-12.

NAME	ADDRESS	DATE
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF INDIANA)
) SS:
 _____ COUNTY)

_____ being duly sworn, deposes and says that he or she is the circulator of this petition paper and that the appended signatures were made in his or her presence and are the genuine signatures of the persons whose names they purport to be. Signed _____

Subscribed and sworn to before me this ____ day of _____, 20 __. _____ Notary Public

SECTION 31. IC 20-26-12-9 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 9: The signatures to each petition may be appended to one (1) petition paper. An affidavit of the circulator must be attached to each petition paper. The affidavit must state that each signature was made in the circulator's presence and is the genuine signature of the person whose name it purports to be. Each signature must be made in ink or indelible pencil. Each signer shall state the signer's name; the signer's residence by street and number; or any other description sufficient to identify the place and the date of the signing.

SECTION 32. IC 20-26-12-10 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 10: A person who signs a petition under this chapter must be registered to vote in the precinct in which the person resides to be qualified to sign and to have the signature count.

SECTION 33. IC 20-26-12-11 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 11: All petition papers requesting the establishment of a library under this chapter must be assembled and filed as one (1) instrument before July 2.

SECTION 34. IC 20-26-12-12 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 12: (a) A governing body shall examine petition papers filed under section 11 of this chapter and shall have the names checked against the voter registration records in the county in which the governing body's school corporation is located.

(b) A governing body may employ clerks to check voter registration records under this section. The governing body may pay these expenses from the school corporation's general fund without a specific



1 appropriation:

2 (c) A clerk employed under subsection (b) shall take an oath to
3 perform honestly and faithfully. The clerk is entitled to daily
4 compensation of not more than three dollars (\$3) for this work:

5 SECTION 35. IC 20-26-12-13 IS REPEALED [EFFECTIVE JULY
6 1, 2015]. Sec. 13: If a sufficient petition is filed under section 11 of this
7 chapter, a governing body shall note on the records of the governing
8 body's school corporation that by filing the petition the school
9 corporation must maintain:

10 (1) an elementary school library containing curricular materials
11 in sufficient numbers to meet the needs of every resident student
12 in each of the first eight (8) grades of each elementary school
13 located within the school corporation; or

14 (2) a high school library containing curricular materials in
15 sufficient numbers to meet the needs of every resident student
16 in each of the four (4) grades of each high school located within
17 the school corporation;

18 as applicable:

19 SECTION 36. IC 20-26-12-14 IS REPEALED [EFFECTIVE JULY
20 1, 2015]. Sec. 14: (a) This subsection applies to a school corporation
21 described in section 13(1) of this chapter. The governing body shall
22 make the first appropriation from the school corporation's general fund
23 in August following the petition's filing. Not later than the school term
24 following the first appropriation, the library must be established and
25 curricular materials must be loaned to resident students enrolled in the
26 first five (5) grades of the elementary school. Not later than the second
27 school term following the first appropriation, curricular materials must
28 be procured and loaned to resident students enrolled in the eight (8)
29 grades of the elementary school:

30 (b) This subsection applies to a school corporation described in
31 section 13(2) of this chapter. The governing body shall make the first
32 appropriation from the school corporation's general fund in September
33 following the petition's filing. Not later than the second school term
34 following the first appropriation, the library must be established and
35 curricular materials of the library must be loaned to resident students
36 enrolled in grade nine of the high school. During each following school
37 term, curricular materials must be procured and loaned to resident
38 students for an additional high school grade, in addition to the earlier
39 high school grades:

40 SECTION 37. IC 20-26-12-15 IS REPEALED [EFFECTIVE JULY
41 1, 2015]. Sec. 15: (a) A governing body shall purchase the necessary
42 curricular materials from publishers. The publisher shall ship the



curricular materials to the governing body not more than ninety (90) days after the requisition. On receipt of the curricular materials, the governing body's school corporation has custody of the curricular materials. The governing body shall provide a receipt to the contracting publisher and reimburse the contracting publisher the amount owed by the school corporation from the school corporation's general fund.

(b) A governing body shall purchase curricular materials:

(1) from a resident student who presents the curricular materials for sale on or before the beginning of the school term in which the curricular materials are to be used;

(2) with money from the school corporation's general fund; and

(3) at a price based on the original price to the school corporation minus a reasonable reduction for damage from usage.

SECTION 38. IC 20-26-12-16 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 16: Upon receipt of the curricular materials, a governing body shall loan the curricular materials at no charge to each resident student. Library curricular materials are available to each resident student under this chapter and under regulations prescribed by the superintendent and governing body of the school corporation.

SECTION 39. IC 20-26-12-17 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 17: (a) If a student transfers to a school corporation other than the one in which the student resides under IC 20-26-11, the governing body of the school corporation to which the student transfers shall purchase a sufficient supply of curricular materials for the transferred student.

(b) In the annual settlement between the school corporations for tuition of transferred students, the amounts must include rental of the curricular materials furnished to the transferred students. The state board shall determine the rental rate.

SECTION 40. IC 20-26-12-18 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 18: A governing body may provide a sufficient amount of curricular materials for sale to resident students at the price stipulated in the contracts under which the curricular materials are supplied to the governing body's school corporation. Proceeds from sales under this section must be paid into the school corporation's general fund.

SECTION 41. IC 20-26-12-19 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 19: A governing body shall provide sufficient library facilities for the curricular materials to best accommodate the resident students.

SECTION 42. IC 20-26-12-20 IS REPEALED [EFFECTIVE JULY



1, 2015]. Sec. 20: A governing body shall prescribe reasonable rules and regulations for the care, custody, and return of library curricular materials. A resident student using library curricular materials is responsible for the loss, mutilation, or defacement of the library curricular materials; other than reasonable wear.

SECTION 43. IC 20-26-12-21 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 21: A governing body shall provide for the fumigation or destruction of library curricular materials at the times and under regulations prescribed by local and state health authorities. Before a governing body may mutilate or otherwise destroy curricular materials, the governing body shall provide at no cost and subject to availability one (1) copy of any curricular material that is no longer scheduled for use in the school corporation to:

(1) the parent of each child who is enrolled in the school corporation and who wishes to receive a copy of the curricular material; and

(2) if any curricular materials remain after distribution under subdivision (1), to any resident of the school corporation who wishes to receive a copy of the curricular material.

SECTION 44. IC 20-26-12-22 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 22: If a school corporation purchases curricular materials on a time basis:

(1) the schedule for payments shall coincide with student payments to the school corporation for curricular material rental; and

(2) the schedule must not require the school corporation to assume a greater burden than payment of twenty-five percent (25%) within thirty (30) days after the beginning of the school year immediately following delivery by the contracting publisher with the school corporation's promissory note evidencing the unpaid balance.

SECTION 45. IC 20-26-12-23, AS AMENDED BY P.L.286-2013, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 23. (a) A school corporation may:

(1) borrow money to buy curricular materials; and

(2) issue notes, maturing serially in not more than six (6) years and payable from its general fund, to secure the loan.

However, when an adoption is made by the proper local officials for less than six (6) years, the period for which the notes may be issued is limited to the period for which that adoption is effective.

(b) Notwithstanding subsection (a), a school township may not borrow money to purchase curricular materials unless a petition



requesting such an action and bearing the signatures of twenty-five percent (25%) of the resident taxpayers of the school township has been presented to and approved by the township trustee and township board.

SECTION 46. IC 20-26-12-24, AS AMENDED BY P.L.286-2013, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 24. (a) The superintendent shall establish procedures for adoption of curricular materials.

(b) The governing body, upon receiving these recommendations from the superintendent, shall adopt curricular materials for use in teaching each subject in the school corporation.

(c) A special committee of teachers and parents may also be appointed to review books, magazines, and audiovisual material used or proposed for use in the classroom to supplement state adopted curricular materials and may make recommendations to the superintendent and the governing body concerning the use of these materials.

~~(d) Curricular materials selected shall be used for the lesser of:~~

~~(1) six (6) years; or~~

~~(2) the effective period of the academic standards adopted by the state board to which the curricular materials are aligned;~~

~~(e) A selection may be extended beyond that period for up to six (6) years.~~

~~(f) (d)~~ The governing body may, if the governing body considers it appropriate, retain curricular materials adopted under this section and authorize the purchase of supplemental materials to ensure continued alignment with academic standards adopted by the state board.

~~(g) (e)~~ The superintendent, advisory committee, and governing body may consider using the list of curricular materials provided by the department under IC 20-20-5.5.

~~(h) Notwithstanding subsection (g) and this chapter, the superintendent, advisory committee, and governing body shall adopt reading curricular materials from the list of recommended curricular materials provided by the department under IC 20-20-5.5.~~

~~(i) (f)~~ A governing body may not purchase curricular materials from a publisher unless the publisher agrees, in accordance with Sections 612(a)(23)(A) and 674(e)(4) of the Individuals with Disabilities Education Improvement Act 2004 (20 U.S.C. 1400 et seq.), to provide or grant a license to the school corporation to allow for the reproduction of adopted curricular materials in:

(1) large type;

(2) Braille; and



1 (3) audio format.

2 SECTION 47. IC 20-26-14-6, AS AMENDED BY P.L.92-2010,
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]: Sec. 6. (a) The association must establish a case review
5 panel that meets the following requirements:

6 ~~(1) The panel has nine (9) members.~~

7 ~~(2) (1)~~ The state superintendent or the state superintendent's
8 designee is a member of the panel and is the chairperson of the
9 panel.

10 ~~(3) (2)~~ The state superintendent appoints as members of the
11 panel persons having the following qualifications:

12 (A) Four (4) parents of high school students.

13 (B) Two (2) high school principals.

14 (C) Two (2) high school athletic directors.

15 ~~(4) (3)~~ The state superintendent shall administer the functions of
16 the panel.

17 ~~(5) (4)~~ A member of the panel serves for a four (4) year term,
18 subject to the following:

19 (A) An appointee who ceases to meet the member's
20 qualification under subdivision (3) ceases to be a member
21 of the panel.

22 (B) The state superintendent shall appoint fifty percent
23 (50%) of the initial appointees under each clause in
24 subdivision (3) for terms of two (2) years, so that terms of
25 the panel are staggered.

26 ~~(6) (5)~~ The panel must meet monthly, unless there are no cases
27 before the panel. The panel may meet more frequently at the call
28 of the chairperson. However, the chairperson must call a
29 meeting within five (5) business days, or as soon thereafter as a
30 quorum can be assembled, after the panel receives a case in
31 which time is a factor in relation to the scheduling of an athletic
32 competition.

33 ~~(7) (6)~~ A quorum of the panel is five (5) members. The
34 affirmative vote of the greater of the majority present or four (4)
35 members of the panel is required for the panel to take action.

36 (b) A student's parent who disagrees with a decision of the
37 association concerning the application or interpretation of a rule of the
38 association to the student shall have the right to do one (1) of the
39 following:

40 (1) Accept the decision.

41 (2) Refer the case to the panel. The parent must refer the case to
42 the panel not later than thirty (30) days after the date of the



- 1 association's decision.
- 2 (c) After a case is referred under subsection (b)(2), the panel must do
- 3 the following:
- 4 (1) Collect testimony and information on the case, including
- 5 testimony and information from both the association and the
- 6 parent.
- 7 (2) Place the case on the panel's agenda and consider the case at
- 8 a meeting of the panel.
- 9 (3) Not later than ten (10) business days after the meeting at
- 10 which the panel considers the case, issue a written decision that
- 11 does one (1) of the following:
- 12 (A) Upholds the association's decision on the case.
- 13 (B) Modifies the association's decision on the case.
- 14 (C) Nullifies the association's decision on the case.
- 15 (d) Subject to section 7 of this chapter, the association must
- 16 implement the decision of the panel on each case. However, a decision
- 17 of the panel:
- 18 (1) applies only to the case before the panel; and
- 19 (2) does not affect any rule of the association or decision under
- 20 any rule concerning any student other than the student whose
- 21 parent referred the case to the panel.
- 22 (e) The association shall pay all costs attributable to the operation of
- 23 the panel, including travel and a stipend of at least fifty dollars (\$50)
- 24 for each meeting for panel members.
- 25 SECTION 48. IC 20-26-15-5, AS AMENDED BY P.L.286-2013,
- 26 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 27 JULY 1, 2015]: Sec. 5. Notwithstanding any other law, the operation
- 28 of the following is suspended for a freeway school corporation or a
- 29 freeway school if the governing body of the school corporation elects
- 30 to have the specific statute or rule suspended in the contract:
- 31 (1) The following statutes and rules concerning curriculum and
- 32 instructional time:
- 33 IC 20-30-2-7
- 34 IC 20-30-5-8
- 35 IC 20-30-5-9
- 36 IC 20-30-5-11
- 37 511 IAC 6-7-6
- 38 511 IAC 6.1-5-0.5
- 39 511 IAC 6.1-5-1
- 40 511 IAC 6.1-5-2.5
- 41 511 IAC 6.1-5-3.5
- 42 511 IAC 6.1-5-4.



- 1 (2) The following rule concerning pupil/teacher ratios:
2 511 IAC 6.1-4-1.
- 3 (3) The following statutes and rules concerning curricular
4 materials:
5 IC 20-26-12-24
6 IC 20-26-12-26
7 ~~IC 20-26-12-1~~
8 IC 20-26-12-2
9 511 IAC 6.1-5-5.
- 10 (4) 511 IAC 6-7, concerning graduation requirements.
- 11 (5) IC 20-31-4, concerning the performance based accreditation
12 system.
- 13 (6) IC 20-32-5, concerning the ISTEP program established under
14 IC 20-32-5-15, if an alternative locally adopted assessment
15 program is adopted under section 6(7) of this chapter.
- 16 SECTION 49. IC 20-28-8-2, AS ADDED BY P.L.1-2005, SECTION
17 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
18 2015]: Sec. 2. A contract of employment shall be entered into between
19 the governing body of the school corporation and a principal or
20 assistant principal subject to the following conditions:
21 ~~(1) The basic contract must be the regular teacher's contract as~~
22 ~~prescribed by the state superintendent.~~
23 ~~(2)~~ (1) The term of the initial contract must be the equivalent of
24 at least two (2) school years.
25 ~~(3)~~ (2) The contract may be altered, modified, or rescinded in
26 favor of a new contract at any time by mutual consent of the
27 governing body of the school corporation and the principal or
28 assistant principal, if the contract, when reduced to writing, is
29 consistent with this chapter.
- 30 SECTION 50. IC 20-28-8-3, AS AMENDED BY P.L.253-2013,
31 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2015]: Sec. 3. (a) Before March 1 of the year during which the
33 contract of an assistant superintendent, a principal, or an assistant
34 principal is due to expire, the governing body of the school corporation,
35 or an employee at the direction of the governing body, shall give
36 written notice of renewal or refusal to renew the individual's contract
37 for the ensuing school year.
38 ~~(b) If notice is not given before March 1 of the year during which the~~
39 ~~contract is due to expire, the contract then in force shall be reinstated~~
40 ~~only for the ensuing school year.~~
41 ~~(c)~~ (b) This section does not prevent the modification or termination
42 of a contract by mutual agreement of the assistant superintendent, the



principal, or the assistant principal and the governing body.

SECTION 51. IC 20-28-8-6, AS AMENDED BY P.L.167-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. A contract entered into by a governing body and its superintendent is subject to the following conditions:

~~(1) If the superintendent holds a license under IC 20-28-5, the basic contract must be in the form of the regular teacher's contract.~~

~~(2) (1)~~ The contract must be for a term of at least thirty-six (36) months.

~~(3) (2)~~ The contract may be altered or rescinded for a new one at any time by mutual consent of the governing body and the superintendent. The consent of both parties must be in writing and must be expressed in a manner consistent with this section and ~~sections section 7 through 8~~ of this chapter.

~~(4) (3)~~ If the superintendent holds a license under IC 20-28-5, the rights of a superintendent as a teacher under any other law are not affected by the contract.

SECTION 52. IC 20-28-8-8 IS REPEALED [EFFECTIVE JULY 1, 2015]. ~~Sec. 8: If the governing body fails to give a termination notice under section 7(3) of this chapter, the superintendent's contract is extended for twelve (12) months following the expiration date of the contract.~~

SECTION 53. IC 20-28-8-10, AS ADDED BY P.L.1-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. A contract of employment shall be entered into between the managing body and a local director subject to the following conditions:

~~(1) The basic contract must be the regular teacher's contract as prescribed by the state superintendent.~~

~~(2) (1)~~ The minimum term of the initial contract must be the equivalent of two (2) school years.

~~(3) (2)~~ The contract may be altered, modified, or rescinded in favor of a new contract at any time by mutual consent of the managing body and the local director if the written contract is consistent with this chapter.

SECTION 54. IC 20-28-8-11, AS ADDED BY P.L.1-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) Before February 1 of the year during which the contract of a local director is due to expire, the managing body, or an employee at the direction of the managing body, shall give written notice of renewal or refusal to renew the local director's contract for the



ensuing school year.

~~(b) If notice is not given before February 1 of the year during which the contract is due to expire, the contract then in force is reinstated only for the ensuing school year.~~

~~(c)~~ **(b)** This section does not prevent the modification or termination of a contract by mutual agreement of the local director and the managing body.

SECTION 55. IC 20-28-9-1.5, AS ADDED BY P.L.286-2013, SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1.5. (a) This subsection applies to a contract in effect July 1, 2012, or upon the expiration of a contract in existence on July 1, 2011, whichever is earlier, and governs salary increases for a teacher employed by a school corporation on or after the date this subsection takes effect. Compensation attributable to additional degrees or graduate credits earned before the effective date of the local salary schedule created under this chapter shall continue. Compensation attributable to additional degrees for which a teacher has started course work before July 1, 2011, and completed course work before September 2, 2014, shall also continue.

(b) Increases or increments in a local salary scale must be based upon a combination of the following factors:

~~(1) A combination of the following factors taken together~~ **The number of years of a teacher's experience** may account for not more than thirty-three percent (33%) of the calculation used to determine a teacher's increase or increment.

~~(A) The number of years of a teacher's experience.~~

~~(B) The attainment of either:~~

~~(i) additional content area degrees beyond the requirements for employment; or~~

~~(ii) additional content area degrees and credit hours beyond the requirements for employment, if required under an agreement bargained under IC 20-29.~~

(2) The results of an evaluation conducted under IC 20-28-11.5.

(3) The assignment of instructional leadership roles, including the responsibility for conducting evaluations under IC 20-28-11.5.

(4) The academic needs of students in the school corporation.

(5) The attainment of either:

(A) additional content area degrees beyond the requirements for employment; or

(B) additional content area degrees and credit hours beyond the requirements for employment, if required



under an agreement bargained under IC 20-29.

(c) A teacher rated ineffective or improvement necessary under IC 20-28-11.5 may not receive any raise or increment for the following year if the teacher's employment contract is continued. The amount that would otherwise have been allocated for the salary increase of teachers rated ineffective or improvement necessary shall be allocated for compensation of all teachers rated effective and highly effective based on the criteria in subsection (b).

(d) A teacher who does not receive a raise or increment under subsection (c) may file a request with the superintendent or superintendent's designee not later than five (5) days after receiving notice that the teacher received a rating of ineffective. The teacher is entitled to a private conference with the superintendent or superintendent's designee.

(e) Not later than January 31, 2012, the department shall publish a model salary schedule that a school corporation may adopt.

(f) Each school corporation shall submit its local salary schedule to the department. The department shall publish the local salary schedules on the department's Internet web site.

(g) The department shall report any noncompliance with this section to the state board.

(h) The state board shall take appropriate action to ensure compliance with this section.

(i) This chapter may not be construed to require or allow a school corporation to decrease the salary of any teacher below the salary the teacher was earning on or before July 1, 2012, if that decrease would be made solely to conform to the new salary scale.

(j) After June 30, 2011, all rights, duties, or obligations established under IC 20-28-9-1 before its repeal are considered rights, duties, or obligations under this section.

SECTION 56. IC 20-30-3-1 IS REPEALED [EFFECTIVE JULY 1, 2015]. See: 1. ~~(a) The last Friday of April is designated for general observance as Arbor Day to encourage the planting of shade and forest trees, shrubs, and vines.~~

~~(b) Each year the governor shall proclaim Arbor Day at least thirty (30) days before it occurs.~~

(c) Appropriate exercises giving due honor to:

(1) the conservators of forestry;

(2) the founders of the study and conservation of Indiana forestry; and

(3) a leading spirit of Indiana forestry conservation, Charles Warren Fairbanks;



1 may be prepared by each superintendent and conducted in each school
2 and by communities throughout Indiana:

3 SECTION 57. IC 20-31-4-2, AS ADDED BY P.L.1-2005, SECTION
4 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
5 2015]: Sec. 2. (a) A school in Indiana **that elects to be accredited** may
6 be accredited:

7 (1) under the performance based accreditation system
8 established by this chapter; or

9 (2) by implementing a quality focused approach to school
10 improvement such as the criteria for the Malcolm Baldrige
11 National Quality Award for Education or for a national or
12 regional accreditation agency that is recommended by the
13 education roundtable and approved by the state board.

14 (b) The state board shall establish the following:

15 (1) A performance based accreditation system for accrediting
16 schools in Indiana under this chapter.

17 (2) A procedure for determining whether a school is making
18 progress toward meeting the criteria for the Malcolm Baldrige
19 National Quality Award for Education or a national or regional
20 accreditation agency.

21 (c) The department shall establish a schedule for accrediting schools
22 **that elect to be accredited** under this chapter.

23 **(d) A school that elects to be accredited or to retain the school's**
24 **accreditation under the performance based accreditation system**
25 **shall comply with this chapter.**

26 SECTION 58. IC 20-31-4-7, AS ADDED BY P.L.1-2005, SECTION
27 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
28 2015]: Sec. 7. (a) If the department determines that:

29 (1) a school has complied with all the legal standards under
30 section 6 of this chapter; and

31 (2) the school's performance has met the expectations for that
32 school in the areas described in section 5 of this chapter;

33 the state board shall make a determination that the school has acquired
34 full accreditation status.

35 (b) The department shall conduct the next review under this chapter
36 of a school described under subsection (a) not later than five (5) years
37 after the state board's determination of full accreditation **if the school**
38 **elects to retain accreditation.**

39 SECTION 59. IC 20-31-4-8, AS ADDED BY P.L.1-2005, SECTION
40 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
41 2015]: Sec. 8. (a) If the department verifies that:

42 (1) a school **seeking accreditation** has not complied with all the



1 legal standards under section 6 of this chapter; or
 2 (2) the school's performance has not met the expectations for
 3 that school in the areas described in section 5 of this chapter;
 4 a review panel of at least three (3) members shall conduct an onsite
 5 evaluation of that school to make a recommendation to the state board
 6 as to the accreditation status of that school.

7 (b) The department may not publish or otherwise make available for
 8 public inspection any information concerning a school's compliance
 9 with legal standards under section 6 of this chapter, the meeting of
 10 performance expectations under section 5 of this chapter, the
 11 assignment of an onsite review panel under this section, or the
 12 recommended accreditation status of the school until all onsite reviews
 13 have taken place and recommendations to the state board concerning
 14 the accreditation status of the school have been made.

15 SECTION 60. IC 20-31-4-12, AS ADDED BY P.L.1-2005,
 16 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2015]: Sec. 12. (a) Upon receipt of a review panel's
 18 recommendation, the state board shall make one (1) of the following
 19 determinations as to the accreditation status of the school:

20 (1) Full accreditation status with the next review being
 21 conducted five (5) years after the state board's determination of
 22 full accreditation **if the school elects to retain accreditation.**

23 (2) Full accreditation status with the next review being
 24 conducted earlier than five (5) years after the state board's
 25 determination of full accreditation **if the school elects to retain**
 26 **accreditation.**

27 (3) Probationary accreditation with the next review being
 28 conducted one (1) year after the state board's determination of
 29 probationary accreditation **if the school elects to retain**
 30 **accreditation.**

31 (b) A school that does not comply with all the legal standards may
 32 not be determined to have acquired full accreditation status.

33 SECTION 61. IC 20-31-4-13, AS ADDED BY P.L.1-2005,
 34 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2015]: Sec. 13. If a school is assigned probationary
 36 accreditation status, **and the school elects to achieve full**
 37 **accreditation status**, the governing body of the school corporation
 38 shall:

39 (1) develop a plan, within one (1) year after the school is
 40 assigned probationary status, to raise the school's level of
 41 accreditation; and

42 (2) raise the school's level of accreditation within three (3) years



after the school is assigned probationary status.

SECTION 62. IC 20-31-4-14, AS ADDED BY P.L.1-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 14. (a) If a school having probationary status:

(1) fails to make progress; or

(2) at the end of three (3) years has not achieved full accreditation status;

the state board shall assign probationary accreditation status to the school corporation in which the school is located.

(b) A school corporation on probationary accreditation status **that elects to achieve full accreditation status** shall direct its efforts toward raising the level of accreditation of each of its schools that are on probationary accreditation status to full accreditation status within one (1) year after the school corporation is assigned probationary accreditation status.

SECTION 63. IC 20-31-4-15 IS REPEALED [EFFECTIVE JULY 1, 2015]. ~~Sec. 15: If a school corporation on probationary accreditation status does not raise the level of accreditation of each of its schools that are on probationary accreditation status to full accreditation status within one (1) year after the school corporation was assigned probationary accreditation status; the department shall submit to the general assembly recommendations concerning the operation and administration of the school corporation and the schools within that school corporation.~~

SECTION 64. IC 20-31-5-4, AS AMENDED BY P.L.246-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) A plan must:

(1) state objectives **that the school wants to achieve** for a three (3) year period; and

(2) be annually reviewed and revised to accomplish the achievement objectives of the school.

(b) ~~A plan must~~ **school shall establish in the plan objectives for that the school wants to achieve. A school shall determine the form and content of the plan.**

(c) This subsection does not apply to a school that is designated in the top category or designation of school improvement under IC 20-31-8-4 in the year immediately preceding the year in which the school's initial plan is implemented. These achievement objectives must be consistent with academic standards and include improvement in at least the following areas:

(1) ~~Attendance rate; as set forth in the plan developed under IC 20-19-3-12.2.~~



(2) The educational needs of students who have been identified to be chronically absent or habitually truant from school.

(3) The percentage of students meeting academic standards under the ISTEP program (IC 20-31-3 and IC 20-32-5).

(4) For a secondary school, graduation rate.

(d) A plan must address the learning needs of all students, including programs and services for exceptional learners.

(e) A plan must specify how and to what extent the school expects to make continuous improvement in all areas of the education system where results are measured by setting benchmarks for progress on an individual school basis.

(f) A plan must note specific areas where improvement is needed immediately.

SECTION 65. IC 20-31-5-6 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 6: (a) This section does not apply to a school that is designated in the top category or designation of school improvement under IC 20-31-8-4 in the year immediately preceding the year in which the school's initial plan is implemented. A plan must contain the following components for the school:

(1) A list of the statutes and rules that the school wishes to have suspended from operation for the school.

(2) A description of the curriculum and information concerning the location of a copy of the curriculum that is available for inspection by members of the public.

(3) A description and name of the assessments that will be used in the school in addition to ISTEP program assessments.

(4) A plan to be submitted to the governing body and made available to all interested members of the public in an easily understood format.

(5) A provision to maximize parental participation in the school, which may include providing parents with:

(A) access to learning aids to assist students with school work at home;

(B) information on home study techniques; and

(C) access to school resources.

(6) For a secondary school, a provision to do the following:

(A) Offer courses that allow all students to become eligible to receive an academic honors diploma.

(B) Encourage all students to earn an academic honors diploma or complete the Core 40 curriculum.

(C) Reduce the number of graduation exam waivers granted to graduates.



(7) A provision to maintain a safe and disciplined learning environment for students and teachers that complies with the governing body's plan for improving student behavior and discipline developed under IC 20-26-5-32.

(8) A provision for the coordination of technology initiatives and ongoing professional development activities.

(b) If, for a purpose other than a plan under this chapter, a school has developed materials that are substantially similar to a component listed in subsection (a), the school may substitute those materials for the component listed in subsection (a):

SECTION 66. IC 20-31-11-6, AS AMENDED BY P.L.146-2008, SECTION 474, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) A public school that receives a monetary award under this chapter may expend that award for any educational purpose for that school. ~~except:~~

(1) athletics;

(2) salaries for school personnel; or

(3) salary bonuses for school personnel.

(b) A monetary award may not be used to determine the state tuition support under IC 20-43 of the school corporation in which the school receiving the monetary award is located.

SECTION 67. IC 20-32-5-17, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 17. (a) If a nonpublic school seeks accreditation as authorized under ~~IC 20-19-2-8(a)(5)~~, IC 20-19-2-8, the governing body of the nonpublic school is entitled to acquire at no charge from the department:

(1) the ISTEP program test; and

(2) the scoring reports used by the department.

(b) The nonpublic school seeking accreditation must:

(1) administer the ISTEP program test to its students at the same time that school corporations administer the test; and

(2) make available to the department the results of the ISTEP program testing.

SECTION 68. IC 20-33-3-7, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) This chapter applies to a child less than eighteen (18) years of age who is employed or is seeking employment in Indiana.

(b) A child less than eighteen (18) years of age who is a resident of Indiana and who requires an employment certificate shall obtain the employment certificate from the issuing officer of the:

(1) accredited school (as described in ~~IC 20-19-2-8(a)(5)~~)



1 **IC 20-19-2-8)** that the child attends; or

2 (2) school corporation in which the child resides.

3 (c) A child less than eighteen (18) years of age who is not a resident
4 of Indiana and who requires an employment certificate to work in
5 Indiana shall obtain the certificate from the issuing officer of the school
6 corporation in which the child is:

7 (1) employed; or

8 (2) seeking employment.

9 The judge of a court with juvenile jurisdiction may suspend the
10 application of this chapter in cases involving juvenile delinquents or
11 incorrigibles whenever, in the opinion of the judge, the welfare of a
12 child warrants this action.

13 SECTION 69. IC 20-33-3-8, AS AMENDED BY P.L.1-2007,
14 SECTION 147, IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The issuing officer in each
16 accredited school (as described in ~~IC 20-19-2-8(a)(5)~~ **IC 20-19-2-8**)
17 shall be an individual who is:

18 (1) a guidance counselor;

19 (2) a school social worker; or

20 (3) an attendance officer for the school corporation and a teacher
21 licensed by the division of professional standards of the
22 department under IC 20-28-4 or IC 20-28-5;

23 and designated in writing by the principal.

24 (b) During the times in which the individual described in subsection
25 (a) is not employed by the school or when school is not in session, there
26 shall be an issuing officer available:

27 (1) who is a teacher licensed by the division of professional
28 standards of the department under IC 20-28-4 or IC 20-28-5; and

29 (2) whose identity and hours of work shall be determined by the
30 principal.

31 SECTION 70. IC 33-33-53-5, AS AMENDED BY P.L.179-2011,
32 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2015]: Sec. 5. In accordance with rules adopted by the judges
34 of the court under section 6 of this chapter, the presiding judge shall do
35 the following:

36 (1) Ensure that the court operates efficiently and judicially under
37 rules adopted by the court.

38 (2) Annually submit to the fiscal body of Monroe County a
39 budget for the court, including amounts necessary for:

40 (A) the operation of the circuit's probation department;

41 (B) the defense of indigents; and

42 (C) maintaining an adequate law library.



(3) Make the appointments or selections required of a circuit or superior court judge under the following statutes:

IC 8-4-21-2

IC 11-12-2-2

IC 16-22-2-4

IC 16-22-2-11

IC 16-22-7

IC 20-23-4

~~IC 20-23-7-6~~

IC 20-23-7-8.1

IC 20-26-7-8

IC 20-26-7-14

IC 20-47-2-15

IC 20-47-3-13

IC 36-9

IC 36-10

IC 36-12-10-10.

(4) Make appointments or selections required of a circuit or superior court judge by any other statute, if the appointment or selection is not required of the court because of an action before the court.

SECTION 71. IC 34-13-3-3, AS AMENDED BY P.L.220-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. A governmental entity or an employee acting within the scope of the employee's employment is not liable if a loss results from the following:

(1) The natural condition of unimproved property.

(2) The condition of a reservoir, dam, canal, conduit, drain, or similar structure when used by a person for a purpose that is not foreseeable.

(3) The temporary condition of a public thoroughfare or extreme sport area that results from weather.

(4) The condition of an unpaved road, trail, or footpath, the purpose of which is to provide access to a recreation or scenic area.

(5) The design, construction, control, operation, or normal condition of an extreme sport area, if all entrances to the extreme sport area are marked with:

(A) a set of rules governing the use of the extreme sport area;

(B) a warning concerning the hazards and dangers associated with the use of the extreme sport area; and



- 1 (C) a statement that the extreme sport area may be used only
- 2 by persons operating extreme sport equipment.
- 3 This subdivision shall not be construed to relieve a
- 4 governmental entity from liability for the continuing duty to
- 5 maintain extreme sports areas in a reasonably safe condition.
- 6 (6) The initiation of a judicial or an administrative proceeding.
- 7 (7) The performance of a discretionary function; however, the
- 8 provision of medical or optical care as provided in IC 34-6-2-38
- 9 shall be considered as a ministerial act.
- 10 (8) The adoption and enforcement of or failure to adopt or
- 11 enforce:
- 12 (A) a law (including rules and regulations); or
- 13 (B) in the case of a public school or charter school, a policy;
- 14 unless the act of enforcement constitutes false arrest or false
- 15 imprisonment.
- 16 (9) An act or omission performed in good faith and without
- 17 malice under the apparent authority of a statute which is invalid
- 18 if the employee would not have been liable had the statute been
- 19 valid.
- 20 (10) The act or omission of anyone other than the governmental
- 21 entity or the governmental entity's employee.
- 22 (11) The issuance, denial, suspension, or revocation of, or
- 23 failure or refusal to issue, deny, suspend, or revoke any permit,
- 24 license, certificate, approval, order, or similar authorization,
- 25 where the authority is discretionary under the law.
- 26 (12) Failure to make an inspection, or making an inadequate or
- 27 negligent inspection, of any property, other than the property of
- 28 a governmental entity, to determine whether the property
- 29 complied with or violates any law or contains a hazard to health
- 30 or safety.
- 31 (13) Entry upon any property where the entry is expressly or
- 32 impliedly authorized by law.
- 33 (14) Misrepresentation if unintentional.
- 34 (15) Theft by another person of money in the employee's official
- 35 custody, unless the loss was sustained because of the employee's
- 36 own negligent or wrongful act or omission.
- 37 (16) Injury to the property of a person under the jurisdiction and
- 38 control of the department of correction if the person has not
- 39 exhausted the administrative remedies and procedures provided
- 40 by section 7 of this chapter.
- 41 (17) Injury to the person or property of a person under
- 42 supervision of a governmental entity and who is:



- 1 (A) on probation; or
- 2 (B) assigned to an alcohol and drug services program under
- 3 IC 12-23, a minimum security release program under
- 4 IC 11-10-8, a pretrial conditional release program under
- 5 IC 35-33-8, or a community corrections program under
- 6 IC 11-12.
- 7 (18) Design of a highway (as defined in IC 9-13-2-73), toll road
- 8 project (as defined in IC 8-15-2-4(4)), tollway (as defined in
- 9 IC 8-15-3-7), or project (as defined in IC 8-15.7-2-14) if the
- 10 claimed loss occurs at least twenty (20) years after the public
- 11 highway, toll road project, tollway, or project was designed or
- 12 substantially redesigned; except that this subdivision shall not
- 13 be construed to relieve a responsible governmental entity from
- 14 the continuing duty to provide and maintain public highways in
- 15 a reasonably safe condition.
- 16 (19) Development, adoption, implementation, operation,
- 17 maintenance, or use of an enhanced emergency communication
- 18 system.
- 19 (20) Injury to a student or a student's property by an employee
- 20 of a school corporation if the employee is acting reasonably
- 21 under a
- 22 ~~(A) discipline policy adopted under IC 20-33-8-12. or~~
- 23 ~~(B) restraint and seclusion plan adopted under~~
- 24 ~~IC 20-20-40-14.~~
- 25 (21) An act or omission performed in good faith under the
- 26 apparent authority of a court order described in IC 35-46-1-15.1
- 27 that is invalid, including an arrest or imprisonment related to the
- 28 enforcement of the court order, if the governmental entity or
- 29 employee would not have been liable had the court order been
- 30 valid.
- 31 (22) An act taken to investigate or remediate hazardous
- 32 substances, petroleum, or other pollutants associated with a
- 33 brownfield (as defined in IC 13-11-2-19.3) unless:
- 34 (A) the loss is a result of reckless conduct; or
- 35 (B) the governmental entity was responsible for the initial
- 36 placement of the hazardous substances, petroleum, or other
- 37 pollutants on the brownfield.
- 38 (23) The operation of an off-road vehicle (as defined in
- 39 IC 14-8-2-185) by a nongovernmental employee, or by a
- 40 governmental employee not acting within the scope of the
- 41 employment of the employee, on a public highway in a county
- 42 road system outside the corporate limits of a city or town, unless



1 the loss is the result of an act or omission amounting to:

2 (A) gross negligence;

3 (B) willful or wanton misconduct; or

4 (C) intentional misconduct.

5 This subdivision shall not be construed to relieve a
6 governmental entity from liability for the continuing duty to
7 maintain highways in a reasonably safe condition for the
8 operation of motor vehicles licensed by the bureau of motor
9 vehicles for operation on public highways.

10 (24) Any act or omission rendered in connection with a request,
11 investigation, assessment, or opinion provided under
12 IC 36-9-28.7.

13 SECTION 72. [EFFECTIVE JULY 1, 2015] (a) **The legislative**
14 **services agency shall prepare legislation for introduction in the**
15 **2016 regular session of the general assembly to organize and**
16 **correct statutes affected by this act.**

17 (b) **This SECTION expires December 31, 2015.**

